

RECEIVED
CENTRAL FAX CENTER

APPLICANT(S): LEVY, Andrew
SERIAL NO.: 10/748,177
FILED: December 31, 2003
Page - 2 -

APR 14 2008

LISTING OF THE PENDING CLAIMS

Below are set forth the currently pending claims.

1. (Currently amended) A method of determining a potential of a diabetic patient to benefit from vitamin E anti-oxidant therapy for treatment of a cardiovascular complication comprising cardiovascular death or myocardial infarction, the method comprising determining a haptoglobin phenotype of the diabetic patient and thereby determining the potential of the diabetic patient to benefit from said vitamin E anti-oxidant therapy, wherein said benefit from said vitamin E anti-oxidant therapy to a patient having a haptoglobin 2-2 phenotype is greater compared to patients having haptoglobin 1-2 phenotype or haptoglobin 1-1 phenotypes.

2. to 11. (Cancelled)

12. (Original) The method of claim 1, wherein said determining said haptoglobin phenotype is effected by directly determining the haptoglobin phenotype of the diabetic patient.

13. (Original) The method of claim 12, wherein step of determining said haptoglobin phenotype is effected by an immunological detection method.

14. (Original) The method of claim 13, wherein said immunological detection method is selected from the group consisting of a radio-immunoassay (RIA), an enzyme linked immunosorbent assay (ELISA), a western blot, an immunohistochemical analysis, and fluorescence activated cell sorting (FACS).

APPLICANT(S): LEVY, Andrew
SERIAL NO.: 10/748,177
FILED: December 31, 2003
Page - 3 -

RECEIVED
CENTRAL FAX CENTER
APR 14 2008

15. (Currently amended) A method of determining the importance of reducing oxidative stress by administering vitamin E in a diabetic patient so as to prevent a diabetes-associated cardiovascular complication comprising cardiovascular death or myocardial infarction, the method comprising the step of determining a haptoglobin phenotype of the diabetic patient, thereby determining the importance of reducing the oxidative stress by administering vitamin E in the specific diabetic patient, wherein said importance of reducing oxidative stress by administering vitamin E is greater in a patient having a haptoglobin 2-2 phenotype compared to patients having haptoglobin 1-2 phenotype or haptoglobin 1-1 phenotypes.

16. to 25. (Cancelled)

26. (Original) The method of claim 15, wherein said step of determining said haptoglobin phenotype is effected by directly determining the haptoglobin phenotype of the diabetic patient.

27. (Original) The method of claim 26, wherein said step of determining said haptoglobin phenotype is effected by an immunological detection method.

28. (Original) The method of claim 27, wherein said an immunological detection method is selected from the group consisting of a radioimmunoassay (RIA), an enzyme linked immunosorbent assay (ELISA), a western blot, an immunohistochemical analysis, and fluorescence activated cell sorting (FACS).

29. (Cancelled)